



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making**Agency:** Washington Hop Commission

- ☒ **Preproposal Statement of Inquiry** was filed as WSR 06-03-133 ; or
☐ **Expedited Rule Making--Proposed notice** was filed as WSR _____; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR** _____
☐ **Continuance of WSR** _____

Title of rule and other identifying information: (Describe Subject) Hop labeling requirements, WAC 16-532-120**Hearing location(s):**

Washington State Department of Agriculture
Ag Conference Room
21 North First Avenue
Yakima, WA 98902

Submit written comments to:

Ann George, Administrator
Washington Hop Commission
301 W. Prospect Place
Moxee, WA 98936
E-mail: ann@wahops.org
Fax: (509) 453-457-8561 By: April 27, 2006, 5:00 p.m.

Date: April 27, 2006Time: 2:30 p.m.**Assistance for persons with disabilities:** ContactRochelle Painter at (360) 902-2060 by April 19, 2006.TTY: (360) 902-1996**Date of intended adoption:** July 17, 2006(Note: This is **NOT** the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Washington Hop Commission is proposing to remove the requirement to stencil all hop bales with "WASHINGTON" OR "WASHINGTON GROWN"

Reasons supporting proposal: Reducing the bale stencil requirements will save growers the expense of applying the stencil, and will improve recycling of burlap bale cloth.

Statutory authority for adoption: RCW 15.65.050, 15.65.330 and chapter 34.05 RCW

Statute being implemented: Chapter 15.65 RCW**Is rule necessary because of a:**

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

DATE

March 22, 2006

NAME (type or print)

Ann George

SIGNATURE**TITLE**

Administrator

CODE REVISER USE ONLYCODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAR 22 2006

TIME

1057

DATE

06-07-165

AM
PM

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

The proposed change will update the regulation to reflect changes in hop marketing procedures, which have resulted in more in-state processing of raw hops prior to shipment to end users. Removal of the requirement to label hop bales as "grown in Washington" will save producers time and expense, while having no impact on marketing of the crop.

Name of proponent: (person or organization) Washington Hop Commission

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Ann George	Moxee	(509) 453-4749
Implementation.... WA Hop Commission	Moxee	(509) 453-4749
Enforcement..... Same as above.	Same as above.	Same as above.

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

Technical amendments being proposed do not require a small business economic impact statement pursuant to RCW 19.85.030.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain: The WA Hop Commission is not a named agency in RCW 34.05.328 (5) (a) (i).

AMENDATORY SECTION (Amending WSR 04-10-059, filed 4/30/04, effective 5/31/04)

WAC 16-532-120 Labeling. ~~((+1+))~~ Each lot of hops must be identified by the crop year produced, grower number and lot designation, and variety stenciled on each bale.

~~((+a))~~ (1) A three-digit grower number will be assigned by the Washington hop commodity board (commission) prior to the annual harvest.

~~((+b))~~ (2) The first marking will consist of the last digit of the crop year, the letter "G" and a hyphen, followed by the three-digit grower number and lot designation (example: 8G-000-01).

~~((+c))~~ (3) The first marking shall be affixed on the head or top of the bale and shall be in characters approximately two inches high.

~~((+d))~~ (4) The second marking will consist of the hop variety, utilizing a two-letter abbreviation. A list of approved two-letter abbreviations will be approved annually by the Washington state hop commodity board.

~~((+e))~~ (5) The second marking shall be affixed immediately below the first marking on the head or top of the bale, and shall be in characters approximately two inches high.

~~((2))~~ In addition to any other brands, labels, stencils or other marks customarily used by hop handlers to identify their own trademarks, labels or firm names, all baled hops shall be branded, labeled, stenciled or marked with one distinctive identifying marking, defined or designated by the hop commodity board (commission), which shall identify the hops as having been grown in the state of Washington.

~~(a)~~ This mark or identification shall be stenciled in letters at least one inch in height and shall read: "WASHINGTON," or "GROWN IN WASHINGTON," as prescribed by the hop commodity board (commission).

~~(b)~~ This mark or identification shall be affixed in a suitable position on the head or top of the bale, in the area generally used by the federal/state inspectors to stencil their own identification mark and in the same general area where the grower's "G" number and variety identification are applied.

~~(c)~~ At no time shall the identification marking appear on the face or sides of the bales, as these areas are considered to be for the use of the dealer or handler for trademarks, shipping markings, bale numbers, firm insignias, etc.

~~(d)~~ The approved identification marking shall be affixed by the federal/state inspector prior to the drawing of samples for federal/state inspection, and, no hops may be sampled for this purpose unless the markings have been affixed thereto in compliance with the regulations prescribed by the hop commodity board

~~(commission).~~

~~(e) Handlers who offer hops for sale in foreign countries where only shipping markings are permitted on the bales or containers, may apply to the hop commodity board (commission) for permission to blot out or remove the identifying marking.)~~